



How to Run for United States Senate

Ballot Access Requirements for the
June 9, 2020 Primary and
the **November 3, 2020 General Elections**

Definitions and Key Icons

Political party – an organization that, at either of the two preceding statewide general elections, received at least 10 percent of the total vote cast for any statewide office filled in that election (currently only Democratic and Republican)

Primary candidate – an individual who is seeking the nomination of a political party by running in a primary

Non-primary party candidate – an individual who is seeking the nomination of a political party by a means other than a primary; speak with the party

Independent – an individual who is seeking to run in a General Election without the nomination from the Republican or Democratic party (may include a recognized party or no party)

Incumbent – an officeholder who wants to run for reelection to the same office

Qualified voter – a person who is entitled to vote under the Virginia Constitution and is properly registered to vote (see [definition here](#))

Va. Code – Virginia Code

VAC – Virginia Administrative Code

ELECT – The Virginia Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219



- Notes where to find information in the Code of Virginia or Virginia Administrative Code.



- Indicates beginning and/or ending deadlines for filing documents.



- Indicates information on where to file documents.



- Indicates additional information that may be helpful.

How candidates get on the ballot in Virginia

Follow these instructions if you are running for United States Senate.

Follow these instructions to get on the ballot for:

- the Primary Election on Tuesday June 9, 2020.
- the General Election on Tuesday November 3, 2020.

Election Calendar 2020

| Type of Election | Candidates: Last Day to File |
|--|---------------------------------------|
| Primary | |
| Tuesday, June 9, 2020 | Thursday, March 26, 2020 at 5:00 p.m. |
| Find in Code: Va. Code §§ 24.2-503 , 24.2-522 and 24.2-524 | |
| General | |
| Tuesday, November 3, 2020 | Tuesday, June 9, 2020 at 7:00 p.m. |
| Find in Code: Va. Code §§ 24.2-503 and 24.2-507 | |

Do you fulfill the basic qualifications to be a candidate?

- ☐ You have been a citizen of the United States for the past nine years on or before the date of taking the oath of office on January 3, 2021.
- ☐ You will be thirty years of age on or before the date of taking the oath of office on January 3, 2021.
- ☐ You will be an inhabitant of the Commonwealth of Virginia on or before the date of taking the oath of office on January 3, 2021.

What, when, and where do I file?

[This table is a summary. Find more information below.](#)

| | What do I need to file? | Notes or other information | Where do I file this form? | When does filing open? | What is the deadline to file? |
|-----------|---|---|--|--|---------------------------------------|
| 1 | Certificate of Candidate Qualification - Federal Offices §§ 24.2-501 , 24.2-503 , and United States Constitution, Article 1, section 2, clause 3 | | With the Department of Elections. Postmarked by deadline if sent registered or certified USPS mail. | Primary candidates: Thursday, January 2, 2020. | Thursday, March 26, 2020 at 5:00 p.m. |
| | | | | Non-primary party and independent candidates: Thursday, January 2, 2020. | Tuesday, June 9, 2020 at 7:00 p.m. |
| 2 | Primary Filing Fee §§ 24.2-523 and 24.2-524 | | With the Department of Elections. | Primary candidates: Thursday, January 2, 2020. Non-primary party and independent candidates: You do not need to file. | Thursday, March 26, 2020 at 5:00 p.m. |
| 3a | Declaration of Candidacy §§ 24.2-505 , 24.2-507 , 24.2-520 , and 24.2-522 | Submit with the Petitions of Qualified Voters (3c) and, if applicable, the Receipt for Primary Filing Fee (3b) and the Petition Statement (3d). | Primary candidates: With the Department of Elections. | Primary candidates: Monday, March 9, 2020 at 12:00 p.m. | Thursday, March 26, 2020 at 5:00 p.m. |
| | | | All other candidates: With the Department of Elections. | Non-primary party candidates: You do not need to file. Independent candidates: Thursday, January 2, 2020. | Tuesday, June 9, 2020 at 7:00 p.m. |

| | What do I need to file? | Notes or other information | Where do I file this form? | When does filing open? | What is the deadline to file? |
|-----------|---|--|--|---|---------------------------------------|
| 3b | Receipt for Primary Filing Fee §§ 24.2-522 , 24.2-523 , and 24.2-524 | | With the Department of Elections. | Primary candidates: Monday, March 9, 2020 at 12 p.m. | Thursday, March 26, 2020 at 5:00 p.m. |
| | | | | Non-primary party and independent candidates: you do not need to file. | |
| 3c | Petition of Qualified Voters §§ 24.2-505(D) , 24.2-506 , 24.2-507 , 24.2-521 , and 24.2-522 Administrative Code 1 VAC 20-50-20 and 1 VAC 20-50-30 | Submit with the Declaration of Candidacy (3a) and, if applicable, the Receipt for Primary Filing Fee (3b) and the Petition Statement (3d). | All candidates: With the Department of Elections. | Primary candidates: Monday, March 9, 2020 at 12 p.m. | Thursday, March 26, 2020 at 5:00 p.m. |
| | | Independent candidates do not need to submit all signature pages at once. | | Non-primary party candidates: You do not need to file. Independent candidates: Thursday, January 2, 2020. | Tuesday, June 9, 2020 at 7:00 p.m. |
| 3d | Petition Statement § 24.2-522(C) | Submit with Declaration of Candidacy (3a), Receipt for Primary Filing Fee (3b), and must be attached to the outside of the sealed box of Petitions of Qualified Voters (3c). | With the Department of Elections. | Primary candidates: Monday, March 9, 2020 at 12 p.m. | Thursday, June 9, 2020 at 7:00 p.m. |
| | | | | Non-primary party candidates: You do not need to file. | |

Follow these steps to file your candidacy:

- 1 Fill out and submit the [Certificate of Candidate Qualification - Federal Offices \(ELECT-501\(FED\)\)](#).



Find in Virginia Code §§ [24.2-501](#), [24.2-503](#), and the United States Constitution, Article 1, section 3, clause 3.



Primary candidates

File starting **January 2, 2020**.

File ending **March 26, 2020 at 5 pm**.

Non-primary party and independent candidates

File starting **January 2, 2020**.

File ending **June 9, 2020 at 7 pm**.

All candidates can mail this form by the deadline and the Department of Elections will accept it.

You must:

- Pay the postage and send by registered or certified mail.
- Keep the receipt in case the Department of Elections asks for proof that you mailed this form before the deadline.



Submit the original form to the Department of Elections, 1100 Bank Street, 1st Floor, Richmond, 23219.

2 Submit Primary Filing fee and receipt.



Find in Virginia Code §§ [24.2-523](#) and [24.2-524](#). A United States Senator's salary in 2020 will be \$174,000. Therefore, the primary filing fee in 2020 will be \$3,480. Campaign checks sent or delivered to the Department of Elections for the purpose of paying the primary filing fee must be drawn on a certified check. A money order payment will also be accepted. Please refrain from sending cash. The Department of Elections will not be responsible for insufficient fund issues should such issues arise from paying the primary filing fee. Checks must be made payable to the Treasurer of Virginia.



Submit payment starting **January 2, 2020**.
Submit payment before **March 26, 2020 at 5 pm**.

Submit Primary Filing Fee Receipt, Declaration of Candidacy form, and petition signatures together.

Non-primary party and independent candidates do not need to pay filing fee.



Submit your payment to the Department of Elections. The Department will issue the campaign a receipt showing payment of the primary filing fee.



Keep the receipt for your payment. You will need to submit this with your Declaration of Candidacy and petition signatures.

What happens to my primary filing fee if I get disqualified, run unopposed, or withdraw?

If you get disqualified or run unopposed in the primary, you will get a refund for the primary filing fee.

If you withdraw, you can get a refund if the general registrar receives your withdrawal notice before the State Party Chair files the Certification of Qualified Primary Candidates form. The deadline for party chair to file is March 31, 2020, but the party may file sooner.

3a; Fill out and submit a [Declaration of Candidacy](#) form (SBE-505/520).
3b



Find in Virginia Code §§ [24.2-505](#), [24.2-507](#), [24.2-520](#), and [24.2-522](#).



Primary candidates

File starting **March 9, 2020 at 12 pm.**

File ending **March 26, 2020 at 5 pm.**

Independent candidates

File starting **January 2, 2020.**

File ending **June 9, 2020 at 7 pm.**

The Department of Elections must **receive** this form by the deadline listed above. A postmark or other mailing service timestamp does not qualify.



Submit the original form to the Department of Elections along with:

- the Petitions of Qualified Voters **AND**
- the Primary filing fee receipt (if required)





If you are a party candidate nominated by a method other than a primary, then you do not need to submit a Declaration of Candidacy unless required by your party.

3c Collect petition signatures and submit the [Petitions of Qualified Voters](#) (SBE-506/521).



Find in Virginia Code §§ [24.2-505\(D\)](#), [24.2-506](#), [24.2-507](#), [24.2-521](#), and [24.2-522](#).

Find in [1 VAC 20-50-20](#) and [1 VAC 20-50-30](#).

| Primary Candidates | Non-primary party candidates | Independent Candidates |
|---|---|---|
|  Collect signatures: Thursday, January 2, 2020 – Thursday, March 26, 2020. File starting: March 9, 2020 at 12 pm. File ending: March 26, 2020 at 5 pm. | You do not need to submit this form. | Collect signatures: Thursday January 2, 2020, – Tuesday, June 9, 2020. File starting: January 2, 2020. File ending: June 9, 2020 at 7 pm. |
|  Submit the original form to the Department of Elections. | | Submit the original form to the Department of Elections. |



When an independent candidate files petition pages with the Department of Elections for the first time, s/he must also file his/her Declaration of Candidacy.

Candidates running for the general election may file petition pages more than once.

See table on page 11 for the number of signatures needed.

Independent candidates will appear on the ballot in the order of time of filing for the office - the time at which the independent candidate files the required number of petition signatures.

At the time of filing you can request notification of any problems that can be corrected before the filing deadline. Make this request in writing and address it to the Commissioner of the Department of Elections. Department of Elections staff will try to get back to you but cannot guarantee a timely response.

If you do not qualify as a candidate because you did not have enough signatures, you can submit an appeal to the Department of Elections regarding the petition signatures.

Submit your appeal **within 5 days** from when the disqualification notice was issued.

You will need to prove that you have the correct number of signatures from qualified voters before the deadline.

Find more information in [1 VAC 20-50-30](#).

Things to remember about petitions:

Petition Pages must...

- be on the form from the Department of Elections, and you cannot alter it in any way
- be either letter or legal size. Both are available on the [Department of Elections website](#).
- be one page printed on the front and back. You can make as many copies as you need.
- contain the signature, printed full name, and full residence address of each qualified voter and the date the voter signed. The last four (4) digits of the qualified voter's Social Security number are helpful, but not required.

The petition circulator...

- must be a legal resident of the United States and must sign the affidavit for each page in front of a notary.
- cannot be a minor.
- can be an individual who was convicted of a felony only if his/her voting rights are restored.
- cannot be the circulator of the page on which they sign the petition.

When filing your petition pages...

- Each page should contain signatures from only one locality and congressional district. It is helpful to track signatures by congressional district, and there is a place on the page to enter that information.
- Please file the pages in ascending order by congressional district to facilitate processing.
- Deliver the Petitions for the US Senate Primary to the Department of Elections in a sealed container. The Department of Elections will deliver the sealed container to the state chair of the candidate's political party. The state chair is the only person who can open the sealed container(s).
- Deliver the Petitions for the US Senate November General to the Department of Elections in an unsealed container. The Department of Elections will ship the pages to the local general registrar in the jurisdiction the page was circulated for verification.

When collecting your petition signatures, it is helpful to remember that...

- Because people who are not registered to vote often sign petitions for candidates, we recommended that you collect at least 15,000 signatures with at least 500 from each congressional district.
- [1VAC20-50-20](#) lists material omissions for petition signatures and pages. If your petition has a material omission, it may render the page or signature invalid.

Petition Signature Requirements

| Office you seek | Whose signature do you Need? | Number of petition signatures you need |
|----------------------|---------------------------------------|--|
| United States Senate | A qualified voter of the Commonwealth | <ul style="list-style-type: none"> • 10,000 Total • 400 from each congressional district |

3d Fill out and submit the [Petition Statement](#) (ELECT-522(C)).



Find in Virginia Code § [24.2-522](#).



File starting **March 9th, 2020 at 12 pm.**

File ending **March 26th, 2020 at 5 pm.**



Submit this form to the Department of Elections.



File along with the Declaration of Candidacy and Petitions of Qualified Voters.

Attach this form to the first sealed container of petitions.

The Department of Elections provides the ELECT-522(C) for your use, but you may use your own form. If you use your own form, make sure it contains the following pieces of information:

- Name of the presidential candidate
- Total number of signatures on petitions in the container(s)

Can I withdraw my candidacy?



Find in Virginia Code § [24.2-612.2](#). ELECT offers [ELECT-612.2](#) to help facilitate the candidate withdrawal process.



A withdrawing candidate should submit his/her withdrawal notice with enough time before absentee voting commences in order to ensure his/her name is removed from the ballot.

If you submit your form after your local ballots are printed, your name will not be removed from the ballot, but you will no longer be a candidate.



Submit your written withdrawal to your [General Registrar](#). Electronic submissions of signed withdrawal notices are permissible.



To be withdrawn from the ballot you must submit a signed written notice declaring your intent to withdraw from the election.

Qualified Independent Candidate that Wishes to use Third Party ID on the Ballot.



Find in Virginia Code § [24.2-613](#).



File starting **January 2, 2020**.

File ending **June 15, 2020 at 11:59 pm**.

Use this table to learn what, when, and where to file.

| | What do I need to file? | Where do I file this letter? | When does filing open? | What is the deadline to file? |
|----|--|-----------------------------------|----------------------------|------------------------------------|
| 1. | <p>A letter signed by the State Chair stating the following:</p> <ul style="list-style-type: none"> The group has been in existence for at least six months prior to the filing of its nominee. The group has a state central committee composed of registered voters from each of Virginia's 11 congressional districts in continual existence for the six months prior to the filing of its nominee. The group has a party plan and bylaws. | With the Department of Elections. | Thursday, January 2, 2020. | Monday, June 15, 2020 at 11:59 pm. |
| 2. | <p>A letter signed by the State Chair and signed by the candidate stating the following:</p> <ul style="list-style-type: none"> The Chair certifies the candidate is the nominee of the party. The candidate accepts the nomination of the party. | With the Department of Elections. | Thursday, January 2, 2020. | Monday, June 15, 2020 at 11:59 pm. |



Submit these letters to the Department of Elections. Electronic submission of these letters is permissible (ea@elections.virginia.gov).



The Department of Elections recommends that the Independent candidate provide this information to the State Chair of his/her party. This presumably will assure that the party will provide the nominee with what s/he needs to file with the Department of Elections.

Campaign Finance accounts and reporting.

The Federal Election Commission is responsible for federal campaign disclosure laws. Federal law requires candidates to register and disclose campaign receipts and expenditures and to abide by certain contribution limits and prohibitions. Please contact the Federal Election Commission for more information (1050 First Street, NE, Washington, D.C. 20463, or on the web at www.fec.gov).

General Disclaimer

The electronic version of this Candidate Bulletin can be found on the Department of Elections website: <https://www.elections.virginia.gov/candidatepac-info/candidate-bulletins/index.html>

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations.

This Candidate Bulletin provides an overview of Virginia electoral requirements only. It does not purport to provide legal advice or binding statements of official policy. Rather, the Candidate Bulletin describes election law found in the Code of Virginia. Applicable laws and regulations are subject to change in content and interpretation.